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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,950	07/10/2001	Michael Kocheisen	2000-0623	9207

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Samuel H. Dworetsky
AT&T CORP.
P.O. Box 4110
Middletown, NJ 07748-4110

EXAMINER

STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/901,950	Applicant(s) KOCHEISEN ET AL.	
	Examiner Aaron Strange	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/30/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9302004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitation recited in claim 6 is already claimed in line 7 of claim 1, from which claim 6 depends.
2. Claim 20 is objected to because of the following informalities: There appears to be a typographical error "advertisement one or more" in line 2. The Office recommends that the claim be amended to recite "advertisement for one or more".

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. The term "substantially" in claim 1 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear how

much additional information may be required without requiring "substantial additional" activation information.

6. The term "minimal" in claim 6 is a relative term which renders the claim indefinite. The term "minimal" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear how much input is allowed while maintaining the standard of "minimal input".

7. The term "undue additional" in claim 12 is a relative term which renders the claim indefinite. The term "undue additional" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear how much input may be requested without requesting "undue additional input".

8. All claims not individually rejected are rejected by virtue of their dependency from the above claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over British Telecommunications in view of Hartman et al (US 5,960,411).

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11. The Office would like to note that the British Telecommunications reference consists of several web pages from the British Telecommunications website. For simplicity in referring to the reference, they have been considered as a single reference, with the pages numbered by the Examiner. Alternatively, the references could be treated individually and applied as a combination of references under 35 USC 103, as the motivation to combine them is apparent since they are all part of the same website.

12. With regard to claim 1, British Telecommunications discloses a method for providing enhanced service activation for auxiliary services that provide access to one or more existing messaging accounts belonging to one or more account holders, the auxiliary services being provided by service providers distinct from the account providers providing the one or more existing messaging accounts, the method comprising: receiving a request for activation of the one or more auxiliary services from the one or more account holders (SpeechMail registration) (Page 3) and providing for service activation for the one or more auxiliary services (activate SpeechMail and provide account/access number) (Page 2, Lines 6-13). British Telecommunications fails to specifically disclose accessing registration information for the one or more existing messaging accounts and using information related to the existing messaging accounts is for providing service activation for the one or more auxiliary services so that no substantial additional activation information has to be provided by the one or more account holders.

Hartman teaches the accessing of stored registration information to accelerate

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the process of ordering a product or service on the Internet. Registration information, previously provided by the customer, is stored at the server (Hartman, Col 6, Lines 39-56). When the user wishes to place an order, they simply press a button associated with that order. The server identifies the customer, accesses the stored registration information, and places the order using the stored registration information (Hartman, Col 7, Lines 25-30). This is advantageous since it allows the customer to place orders without resubmitting information such as addresses and phone numbers, greatly accelerating the ordering process.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to access registration information provided by the user when activating the existing messaging account, and use this information when activating the auxiliary service. This would have allowed the user to activate auxiliary services without requiring resubmission of information that was previously provided by the user.

13. With regard to claim 2, British Telecommunications further discloses that the one or more auxiliary services is at least telephone access to an existing electronic mail account (Page 1, Lines 8-9).

14. With regard to claim 3, British Telecommunications further discloses the one or more auxiliary services is related to access of an existing electronic mail account (telephone access) (Page 1, Lines 8-9).

15. With regard to claim 4, British Telecommunications further discloses that prompting for a user selected personal access code for the one or more auxiliary services (PIN for SpeechMail account) (Page 3).

16. With regard to claim 5, while the system disclosed by British Telecommunications in view of Hartman shows substantial features of the claimed invention (discussed above), including providing an auxiliary services selection button (Page 3), it fails to specifically disclose providing the button on an access screen for the one or more existing messaging accounts. However, providing a button on an access screen for the existing messaging account rather than on its own separate page is well known in the art, and would have been a matter of personal preference for the website designer. It would have been advantageous to place the button to activate the auxiliary service on the access screen for the existing messaging account since it would be visible to the user each time they accessed the messaging account. This would make it easier for the user to learn about and activate auxiliary services.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to place the auxiliary services selection button on the access screen for the messaging account since it would make it easier for the user to learn about and activate auxiliary services

17. With regard to claim 6, as discussed regarding claim 1, Hartman discloses accessing registration information for the one or more existing messaging accounts.

18. With regard to claim 7, British Telecommunications discloses a method for providing enhanced service activation for a user's electronic mail account, the method comprising: providing an enhanced service activation selector for an enhanced service related to the electronic mail account (SpeechMail registration) (Page 3); receiving an activation request via the activation selector for the enhanced service related to the electronic mail account (user submits for to register) (Page 3) and activating the enhanced service related to the electronic mail account (activate SpeechMail and provide account/access number) (Page 2, Lines 6-13). British Telecommunications fails to specifically disclose processing the activation request by accessing information related to the electronic mail account and using the information relating to the electronic mail account is to activate the enhanced service.

Hartman teaches the accessing of stored registration information to accelerate the process of ordering a product or service on the Internet. Registration information, previously provided by the customer, is stored at the server (Hartman, Col 6, Lines 39-56). When the user wishes to place an order, they simply press a button associated with that order. The server identifies the customer, accesses the stored registration information, and places the order using the stored registration information (Hartman, Col 7, Lines 25-30). This is advantageous since it allows the customer to place orders without resubmitting information such as addresses and phone numbers, greatly accelerating the ordering process.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to access registration information provided by the user

when activating the electronic mail account, and use this information when activating the auxiliary service. This would have allowed the user to activate auxiliary services without requiring resubmission of information that was previously provided by the user.

19. With regard to claim 8, British Telecommunications further discloses that the electronic mail account is a Web based electronic mail account (Page 10, Lines 2-4).

20. With regard to claim 9, Hartman further discloses that the information related to the electronic mail account is stored on a network file server (server holds customer information) (Fig 2, 212, 214 and Col 6, Lines 7-11).

21. With regard to claim 10, British Telecommunications further discloses that the enhanced service is telephone access to the electronic mail account (Page 1, Lines 8-9).

22. With regard to claim 11, British Telecommunications further discloses that the enhanced service is access to the electronic mail account via one or more secondary devices (telephone access) (Page 1, Lines 8-9).

23. With regard to claim 12, British Telecommunications discloses an enhanced service registration method for providing user access to a first service provided by a first service provider by one or more other enhanced services provided by one or more other enhanced service providers distinct from the first service provider, the method comprising: receiving a request for activation of one or more of the other enhanced services (SpeechMail registration) (Page 3); and activating the one or more other enhanced services (activate SpeechMail and provide account/access number) (Page 2,

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Lines 6-13). British Telecommunications fails to specifically disclose receiving registration and storing information for activation of the first service, accessing the stored registration information for the first service, and using the stored registration information when activating the enhanced service without requesting undue additional input from the user.

Hartman teaches the accessing of stored registration information to accelerate the process of ordering a product or service on the Internet. Registration information, previously provided by the customer, is stored at the server (Hartman, Col 6, Lines 39-56). When the user wishes to place an order, they simply press a button associated with that order. The server identifies the customer, accesses the stored registration information, and places the order using the stored registration information (Hartman, Col 7, Lines 25-30). This is advantageous since it allows the customer to place orders without resubmitting information such as addresses and phone numbers, greatly accelerating the ordering process.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to access registration information provided by the user when activating the electronic mail account, and use this information when activating the auxiliary service. This would have allowed the user to activate auxiliary services without requiring resubmission of information that was previously provided by the user.

24. With regard to claim 13, Hartman further discloses that receiving registration information for activation of the first service comprises receiving identifying information

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from the user (server collects and stores identifying information)(Col 5, Line 66 to Col 6, Line 4 and Col 6, Lines 40-46).

25. With regard to claim 14, Hartman further discloses that the registration information is stored in a network file server (server holds customer information) (Fig 2, 212, 214 and Col 6, Lines 7-11).

26. With regard to claim 15, British Telecommunications further discloses that the enhanced services is at least one of telephone access to electronic mail, facsimile access to electronic mail and pager access to electronic mail (telephone access) (Page 1, Lines 8-9).

27. With regard to claim 16, British Telecommunications further discloses that the request for activation is received via a selection mechanism provided with the first service (SpeechMail registration) (Page 3).

28. With regard to claim 17, British Telecommunications further discloses that the first service is electronic mail and the enhanced service is access to the electronic mail via phone (Page 1, Lines 8-9).

29. With regard to claim 18, British Telecommunications further discloses that the only additional input required from the user is a personal identification number (SpeechMail PIN is the only additional input required for SpeechMail activation. All other information is provided when signing up for the dial-up account)(Page 3).

30. With regard to claim 19, British Telecommunications further discloses that the only additional input required from the user is a password (SpeechMail PIN is the only

additional input required for SpeechMail activation. All other information is provided when signing up for the dial-up account)(Page 3).

31. With regard to claim 20, while the system disclosed by British Telecommunications in view of Hartman shows substantial features of the claimed invention (discussed above), it fails to specifically disclose providing an advertisement one or more of the enhanced services, wherein selecting the advertisement operates as request for activation of the one or more of the enhanced services.

However, the use of an advertisement as a link on a web page is well known in the art. Advertisements that can be clicked are commonly used on web sites to direct a user to another location. They are advantageous since they can be images or graphics that are more noticeable than plain text, drawing the attention of a user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an advertisement to notify users of available auxiliary services, and allow users to request auxiliary service activation simply by clicking on the advertisement. This allows the service provider to draw attention to the available service by using a graphical advertisement to notify the user, which may be more noticeable than a simple text link.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

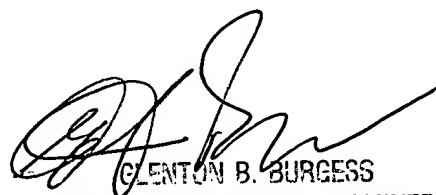
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33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS
11/2/2004



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100